

COPY in 264 D

November 8, 1956

NEW HAMPSHIRE LAW LIBRARY

SEP 22 1998

CONCORD, N.H.

Charles Griffin, Director
Division of Employment Security
Concord, New Hampshire

Dear Sir:

By your letter of October 31, 1956, you have requested the opinion of this office as to whether a person substituting for a duly appointed member of the Employment Security Advisory Council may be paid on the regular per diem provided for the Council. It is my understanding that one of the Council members is unable to fulfill his duties as a member because of illness and it is expected that he will remain in that position for the next two or three Council meetings. I further understand that a Mr. John Giderian was present at the last meeting acting for the absent member at your request.

Under the provisions of RSA 282:9, R the Advisory Council is established to aid the Director in formulating policies and discussing problems related to the administration of the unemployment compensation chapter. The term of office of each member of the Advisory Council shall be three years "and until his successor is appointed and qualified." It is my opinion that there is no provision in the law which permits either a substitute to act for a member of the Council or which permits such a person to receive the per diem payments authorized to the members of the Council. In the absence of provisions covering such a substitution, the Comptroller would not be authorized to approve such payments.

Very truly yours,

Arthur E. Bean, Jr.
Assistant Attorney General

AEB, Jr/aml